

Cause No. PD-0788-20

IN THE TEXAS COURT OF CRIMINAL APPEALS
SITTING IN AUSTIN, TEXAS

FILED
COURT OF CRIMINAL APPEALS
11/25/2020
DEANA WILLIAMSON, CLERK

ENRIQUE ANGEL RAMOS § ON APPEAL FROM
VS. § HIDALGO COUNTY, TEXAS
STATE OF TEXAS § HONORABLE ROSE REYNA
 JUDGE PRESIDING

MOVANT'S MOTION TO WITHDRAW AS COUNSEL AND ABATE
FOR APPELLANT

13th COURT OF APPEALS CAUSE NO. 13-17-00429-CR

MARK A. ALEXANDER
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TO THE HONORABLE TEXAS COURT OF CRIMINAL APPEALS:

NOW COMES Movant, MARK A. ALEXANDER, Attorney of Record for the Defendant, ENRIQUE ANGEL RAMOS, in the above styled and appellate cause, who files this motion to withdraw as counsel and abate the present cause for appointment by the trial court of new appellant counsel, and shows unto the Court as follows:

I.

Movant can no longer represent the Defendant due to Movant's health issues. Movant has suffered a life-changing heart attack and series of strokes. See Attachment 1. These health issues reduce the ability of present counsel to provide adequate representation to the Defendant within ethical bounds, and renders an ongoing attorney/client relationship impossible at this time.

II.

Below is a list of current deadlines and settings in the case:

The trial court's order appointing counsel, any findings of fact, affidavits, or transcription of the court reporter's notes and any other supplementation of the record is due on December 6, 2020.

The State filed its brief on November 23, 2020.

III.

Defendant was notified in writing of the right to object to this motion.

IV.

Movant notified the Defendant of his intent to withdraw via letter, and at this time has not received a response in order to be able to say whether the Defendant objects. The last known address of the Defendant is set out below in the Certificate of Service and the last known phone number of the Telford Correctional Facility is: (903) 628-3171

V.

The granting of this Motion to Withdraw will not jeopardize the rights of the Defendant. The requested withdraw is not for the purposes of delay but due to Movant's health issues. Movant asks that the Court abate this proceeding and allow the trial court to appoint Defendant new counsel.

WHEREFORE, PREMISES CONSIDERED, Movant prays that this Honorable Court allow the withdrawal of counsel, abatement, and that present counsel be released from further obligation or duty to the Defendant as Attorney of Record, and this proceeding abated until the trial Court can appoint new counsel for the Defendant.

CERTIFICATE OF SERVICE

As Attorney of Record for Defendant, I, Mark Alexander, do hereby certify that a true and correct copy of the above and foregoing document was this date, November 24, 2020, provided all parties of record via e-service



Mark A. Alexander

ATTACHMENT 1

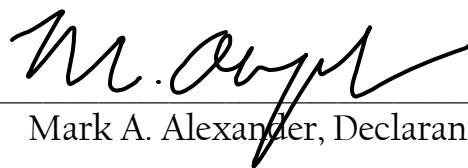
UNSWORN DECLARATION

TEXAS
COUNTY OF HIDALGO

My name is MARK A. ALEXANDER. I am over 18 years of age, of sound mind, and capable of making this declaration. All facts stated herein are of my own personal knowledge and they are true and correct.

I was appointed to represent Enrique Angel Ramos in late 2018. At the time, previous counsel had already submitted a brief on Mr. Ramos' behalf. Later, I then suffered a heart attack and a series of strokes on or about September 5, 2019, and was at Hermann Memorial Hospital in Houston, Texas for an extended stay. I was then in a rehabilitation facility following several months after. As of the date of this motion, I have been unable to return to the practice of law and have had to retire due to my health issues.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Hidalgo County, State of Texas, on the 24th day of November, 2020.



Mark A. Alexander, Declarant

Automated Certificate of eService

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Pamela Alexander
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Status as of 11/25/2020 8:16 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Luis Gonzalez		luis.gonzalez@da.co.hidalgo.tx.us	11/24/2020 5:11:28 PM	SENT